

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

TANTIVY COMMUNICATIONS, INC.,

*Plaintiff.*

VS.

**Civil Action No. 2-04-CV-79 TJW**

Lucent  
Technologies, Inc.

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*Defendants.*

**STIPULATION AND ORDER OF DISMISSAL**

On this date appeared counsel of record for the parties in the above-referenced cause, and announced their stipulation that this action should be dismissed with prejudice as to (a) Tantivy's claims against Lucent; and (b) Lucent's counterclaims against Tantivy, except that such dismissal shall be without prejudice as to Lucent's claims of invalidity and unenforceability to the extent Tantivy asserts the Patents against Lucent.

Accordingly, it is ORDERED that:

1. This cause is dismissed;
2. All parties shall bear their own costs; and
3. All relief not expressly granted herein is denied.

Signed this \_\_\_\_\_ day of November 2005.

United States District Judge

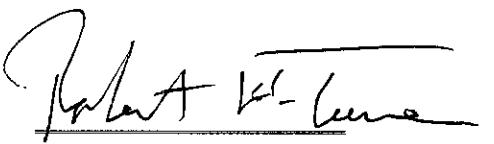
Stipulated and agreed by:



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